

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Michael Sanchez Rogers

Case No.

Case: 2:22-mj-30543

Assigned To : Unassigned

Filed: 12/27/2022

SEALED MATTER (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 19, 2022 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:


See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 27, 2022

City and state: Detroit, MI


Complainant's signature

Matthew Kuiack, Special Agent, FBI
Printed name and title


Judge's signature

Hon. Anthony P. Patti, United States Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL SANCHEZ ROGERS,

Defendant.

Case No.

FILED UNDER SEAL

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Matthew Kuiack, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed as a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since July 2019. I am currently assigned to the FBI Detroit Field Office and the Violent Gang Task Force (VGTF). My current duties include investigating gangs, firearms trafficking, and narcotics trafficking. Prior to my present assignment, I was a Sheriff's Deputy with the Mitchell County Sheriff's Office, Mitchell County, Kansas. During my time as a law enforcement officer and Special Agent, I have participated in investigations involving firearms, as well as numerous investigations that resulted in the execution of search and arrest warrants.

2. I submit this affidavit in support of a criminal complaint charging that, on or about Monday December 19, 2022, within the Eastern District of Michigan, Michael Sanchez ROGERS (D.O.B.: XX/XX/1982), knowing he had been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

3. I make this affidavit from personal knowledge as well as information provided by other law enforcement officials and/or their reports and records. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and therefore does not set forth all details or facts that exist pertaining to this investigation.

PROBABLE CAUSE

4. On or about December 19, 2022, two Warren Police Department (WDP) Officers, Officer Gifford and Officer Kuchta, were driving in a marked patrol car in Warren, Michigan in the vicinity of 9 Mile Road and Peters Avenue. At approximately 12:10 a.m. the officers observed a white 2021 GMC Yukon, bearing Michigan license plate 1NTT57 make an improper right-hand turn. The vehicle also appeared to have illegal window tint on the front windows. As a result of the infractions, the officers initiated a traffic stop of the vehicle.

5. The GMC Yukon came to a stop at 9 Mile Road and Peters Avenue in Warren, Michigan, which is within the Eastern District of Michigan.

6. The two officers approached the vehicle and contacted the driver, who was subsequently identified as ROGERS.

7. Officer Kuchta advised ROGERS the reason of the traffic stop and requested ROGERS's driver's license, registration, and insurance paperwork for the vehicle. While ROGERS was leaning over, looking for the requested documents, Officer Gifford observed the butt of a handgun in ROGERS' waistband. Officer Gifford asked ROGERS if he had a CPL and ROGERS replied that he did. Officer Kuchta asked ROGERS to provide his CPL license.

8. During the traffic stop, Officer Gifford, who was on the front passenger side of the vehicle, proceeded to ask Rogers some questions. When responding to the questions, ROGERS kept looking at Officer Kuchta, who was at the front drivers' side of the vehicle. ROGERS appeared to be avoiding making eye contact with Officer Gifford and appeared very nervous. Due to ROGERS' behavior, failure to provide his CPL license, and failure to advise the officers that he was in possession of a firearm, Officer Gifford asked ROGERS to step out of the vehicle.

9. Right after Officer Gifford asked ROGERS to step out of the vehicle, ROGERS attempted to grab Officer Kuchta's vest and drive off. ROGERS was unable to drive off ostensibly due to complications with shifting his vehicle into drive. Officer Kuchta and Officer Gifford drew their department issued firearms and ordered ROGERS to shut off the vehicle and get out. WPD Officer McNeil,

who had arrived on scene, assisted Officer Kuchta with getting ROGERS out of the vehicle. ROGERS was removed from the vehicle and placed in handcuffs. During this time, ROGERS admitted that he didn't have a CPL and that he didn't want to go to jail.

10. WPD Officer Rexford recovered the handgun from ROGERS' waistband and made it safe by removing the magazine and one live round from the chamber. The firearm was seized as evidence. The firearm was a Ruger SR9C 9mm bearing serial number 332-14848.

11. Officer Kuchta and Officer Gifford placed ROGERS under arrest and transported him to WPD for processing.

12. A query of the computerized criminal history (CCH) for ROGERS revealed the following felony convictions:

- In or around 2013, ROGERS was convicted in Cabell County, West Virginia, of one count of Felony Drugs- Possession with intent to distribute controlled substance. ROGERS was sentenced to a term of imprisonment of 1 to 15 years with the West Virginia Division of Corrections and Rehabilitation.
- In or around 2005, ROGERS was convicted in the 3rd Circuit Court, Wayne County, Michigan of one count of felony Controlled Substance – Delivery/ Manufacture less than 50 grams.

13. On or about December 19, 2022, ATF Special Agent and Interstate Nexus Expert Michael Jacobs reviewed the history of the Ruger SR9C, 9mm, bearing serial number 332-14848, and made a preliminary determination that the firearm was most likely manufactured outside the state of Michigan, and therefore the firearm had traveled in interstate commerce prior to ROGERS' possession of it.

CONCLUSION

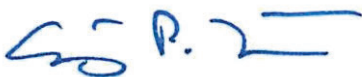
14. Based on the foregoing, I respectfully submit that there is probable cause to believe that, on or about December 19, 2022, within the Eastern District of Michigan, Michael Sanchez ROGERS, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, said firearm having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

Respectfully submitted,



Matthew Kuiack
Special Agent
Federal Bureau of Investigation

Sworn to before me and signed in my
presence and/or by reliable electronic means.



HON. ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE

Date: December 27, 2022